

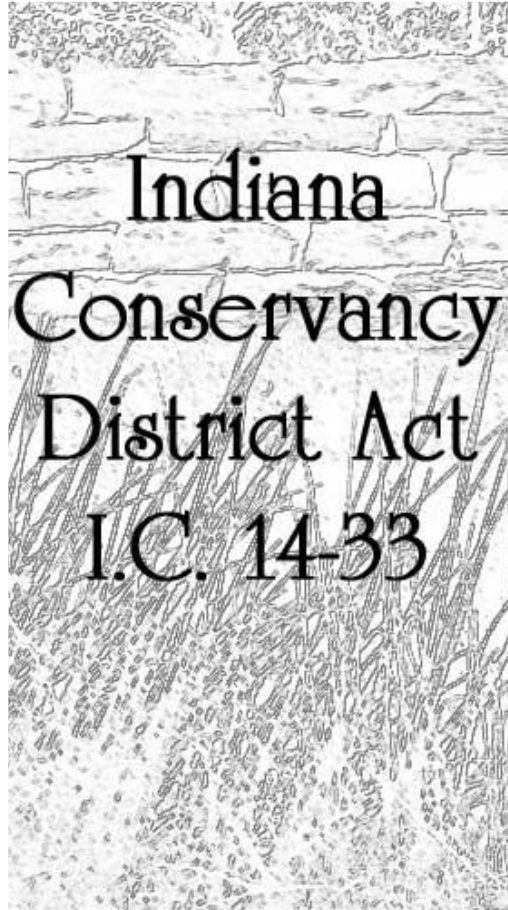
For more information about the Indiana Conservancy District Act contact:

Indiana Department of Natural Resources
Division of Water
402 West Washington Street,
Room W264
Indianapolis, IN 46204
Attention: Project Development

or call (317)-232-4160 or toll free at
1-877-928-3755 (1-877-WATER55)

Email: water_inquiry@dnr.state.in.us

<http://www.IN.gov/dnr/water>



What is a Conservancy District?

The Indiana Conservancy District Act, I.C. 14-33 provides a vehicle by which landowners can organize a special taxing district to solve problems related to water resources management. Problems that can be addressed through the Indiana Conservancy District Act are as follows:

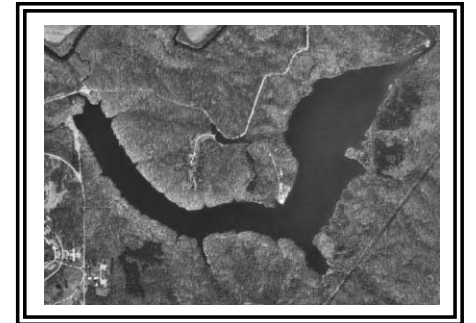
- 1) Flood prevention and control.
- 2) Improving drainage.
- 3) Providing for irrigation.
- 4) Providing water supply, including treatment and distribution, for domestic, industrial, and public use.
- 5) Providing for collection, treatment, and disposal of sewage and other liquid wastes.
- 6) Developing forests, wildlife areas, parks, and recreational facilities where feasible in connection with beneficial water management.
- 7) Preventing the loss of topsoil from of injurious water erosion.
- 8) Storage of water for augmentation of stream flow.
- 9) Operation, maintenance, and improvement of any work of improvement for water based recreational purposes, or other work of improvement that could have been built for any other purpose authorized by the Act.

How can a Conservancy District be formed?

To form a district, a petition is circulated in the area to be included in the district and is filed in the circuit court of the county having the most land in the proposed district.

What area can be in a Conservancy District?

Boundaries of a conservancy district are based upon the identification of properties expected to be benefited by the establishment of the district. Any area may be included in a district regardless of its political boundaries; however, the district needs to be contiguous with all other parts of the district and cannot overlap another district established for the same purpose.



How is a Conservancy District established?

Once the circuit court determines the petition bears the necessary signatures and is correct as to form and content, the court will refer the petition to the Natural Resources Commission, which will determine whether the proposed district:

- 1) Appears to be necessary.
- 2) Holds promise of economic and engineering feasibility.
- 3) Offers benefits in excess of costs and damages.
- 4) Serves the public health immediately or prospectively.
- 5) Proposes to cover and serve a proper area.
- 6) Could be compatible with other water management or water supply projects.

When the circuit court receives the Commission's findings, the court will schedule a hearing for the establishment of the district.



What does it cost to form a Conservancy District?

The cost to establish a district varies with the size of the proposed district and is estimated to cost a minimum of \$5,000. This figure does not include the cost of the district plan and the proposed works of improvement.

Who manages the Conservancy District?

After a conservancy district is established by the circuit court, an initial board of directors is appointed by the county commissioners. The subsequent directors are then elected by the freeholders of the district.

Who controls the work of a Conservancy District?

The jurisdiction over activities of a conservancy district ultimately lies with the circuit court that established the district.

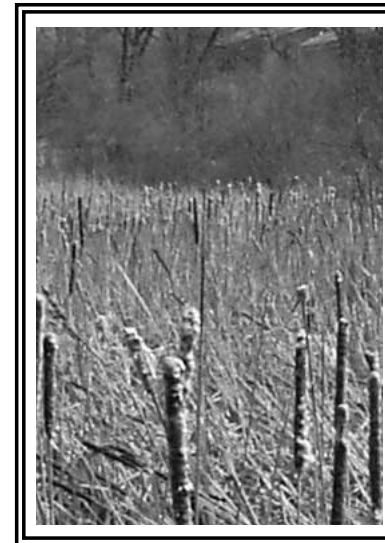
The Natural Resources Commission acts as a friend to the court by providing technical review and recommendations for specified district activities, which include: **establishment, district plan, unit of work, addition of area, addition of purpose, and dissolution of a district.**

The day to day operations of a conservancy district; however, are accomplished through the conservancy district's board of directors.

What is the role of the Board of Directors?

One of the first responsibilities of the initial board of directors is to develop a district plan. The district plan consists of an engineering report that sets forth the general, comprehensive plan for accomplishment of the purpose or purposes for which the district was established.

The board of directors shall be responsible to place the district plan in operation by implementing the approved purpose(s) and by providing operation and maintenance as provided for in the district plan.



Who approves the district plan?

After the board of directors prepares the district plan, it must be reviewed and approved by the Natural Resources Commission. If the plan accomplishes, in an economical manner, the purpose or purposes for which the district is established, it will be forwarded to the circuit court for review and approval.

How does a Conservancy District pay for its works of improvement?

Expenses and obligations of the district may be paid from any of the following:

- 1) The receipt of gifts from any source.
- 2) The receipt of funds from governmental agencies.
- 3) The receipt of funds from the sale of services accomplished by the purpose or purposes for which the district was established.
- 4) The receipt of funds from the collection of assessments from land that receives exceptional benefits from the operation of the district plan.
- 5) The collection of assessments for maintenance and operation of works of improvement.